

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF RHODE ISLAND

IN RE:  
Francisco Rivas and Rosa Tejada  
Debtors

CHAPTER 7  
CASE NO. 13-10305-DF

**MOTION TO TERMINATE LOSS MITIGATION ORDER**  
**SECOND MORTGAGE**

Now Comes Sovereign Bank, NA and respectfully requests that this Court terminate the Loss Mitigation Period and vacate the Order granting the Loss Mitigation Request. In support thereof, Sovereign Bank, NA states as follows:

1. On March 29, 2013, the Debtors filed a Loss Mitigation Notice/Request (Docket No. 20).
2. On April 2, 2013, Debtors' counsel was provided a loan modification package to complete and return for review. On the same day, Debtors' counsel was advised that the second lien has been charged off and the only loss mitigation options available would be a voluntary repayment plan or short-sale.
3. Debtors' counsel confirmed debtors might be interested in a repayment plan depending result on the review of first mortgage.
4. On April 12, 2013, a status regarding the loan modification package was requested from Debtors' counsel as the package is needed to determine repayment options.
5. On April 15, 2013, an Order granting Loss Mitigation Notice/Request entered. (Docket No. 26).
6. On April 23, 2013, a status regarding the loan modification package was requested from Debtors' counsel.
7. To date no response regarding the status of the loss mitigation package has been received and the package has not been returned.

WHEREFORE, Sovereign Bank, NA respectfully requests that this Court vacate the Loss Mitigation Order which entered on April 15, 2013.

Sovereign Bank, NA  
By Lender's attorney,  
/s/ Wayne E. George  
Wayne E George, Esquire  
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Dated: April 25, 2013

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF RHODE ISLAND

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CERTIFICATE OF SERVICE

I, Wayne E George, Esquire, state that on April 25, 2013, I electronically filed the foregoing Motion with the United States Bankruptcy Court for the District of Rhode Island using the CM/ECF System. I served the foregoing document on the following CM/ECF participants:

Lisa A. Geremia, Esquire, Chapter 7 Trustee  
Gary L. Donahue, Esquire, Assistant U.S. Trustee  
John B. Ennis, Esquire for the Debtors  
Timothy W. Larson, Esquire for Sovereign Bank, NA

I certify that I have mailed by first class mail, postage prepaid the documents electronically filed with the Court on the following non CM/ECF participants:

/s/ Wayne E. George  
\_\_\_\_\_  
Wayne E George, Esquire  
RI # 8151

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